

CITY PLANNING COMMISSION MINUTES

August 5, 2004

The regular meeting of the City Planning Commission convened Thursday, August 5 at 1:38 pm in the City Council Chambers, 333 W. Ocean Boulevard.

PRESENT: COMMISSIONERS: Charles Greenberg, Leslie Gentile, Mitchell Rouse, Nick Sramek, Morton Stuhlbarg, Charles Winn

ABSENT: COMMISSIONERS: Matthew Jenkins

CHAIRMAN: Charles Greenberg

STAFF MEMBERS PRESENT: Fady Mattar, Acting Director
Greg Carpenter, Planning Bureau Manager
Carolyn Bihn, Planner V
Derek Burnham, Planner
Heidi Eidson, Minutes Clerk

OTHERS PRESENT: Mike Mais, Assistant City Attorney
Barbara Kaiser, Redevelopment Bureau Manager

PLEDGE OF ALLEGIANCE

Fady Mattar led the pledge of allegiance.

MINUTES

The minutes of May 20, 2004 were approved on a motion by Commissioner Winn, seconded by Commissioner Sramek and passed 4-0 with 2 abstentions. Commissioner Jenkins was absent.

The minutes of June 17, 2004 were approved with the change of Commissioner Stuhlbarg serving as acting chair on a motion by Commissioner Winn, seconded by Commissioner Sramek and passed 3-0 with 3 abstentions. Commissioner Jenkins was absent.

SWEARING OF WITNESSES

CONSENT CALENDAR

Item 1C was pulled from the consent calendar for questions.

In response to a query from Commissioner Sramek regarding how some units will stay rentals while others will be converted to condominiums, Mr. Carpenter responded that a management plan and rent rates must be submitted by the current owner to the satisfaction of the Housing Services Bureau.

In response to a query from Commissioner Winn regarding a deficiency inspection report, Mr. Carpenter responded that condition of approval #21 requires that the applicant agree to make any required repairs that the building inspector finds prior to the inspection being made.

Don Darnauer, 801 Pine Avenue, requested a copy of the C. C. and R.'s for the project.

Items 1A, 1B, 1C and 1D were approved as presented by staff on a motion from Commissioner Sramek, seconded by Commissioner Winn and passed 6-0. Commissioner Jenkins was absent.

1A. Case No. 0207-22, General Plan Amendment, Zone Change, LUE Amendment 5-04

Applicant: City of Long Beach Redevelopment Agency
Subject Site: 1401-1427 E. Anaheim Street
Description: Request for General Plan Amendment and Zone Change from R-2-N and CCP to I in order to construct a neighborhood library.

Recommended that City Council approve the General Plan Amendment and Zone Change request.

1B. Case No. 0405-24, Conditional Use Permit, CE 04-108

Applicant: Velocitel
Subject Site: 7400 E. Willow Street
Description: A Conditional Use Permit to construct and maintain a wireless telecommunication facility, consisting of a 43 foot high unicell antenna structure disguised as a flagpole with appurtenant equipment.

Continued to the Planning Commission hearing of August 19, 2004.

1C. Case No. 0405-18, Tentative Parcel Map, Condominium Conversion, CE 04-105

Applicant: Pine Terrace Associates
Subject Site: 838 Pine Avenue
Description: Request for approval of Vesting Tentative Parcel Map No. 061476 to convert seventy seven of eighty three residential dwelling units of an existing apartment building into condominiums.

Approved Tentative Parcel Map No. 061476, subject to conditions of approval.

1D. Case No. GPC 8-5-04

Applicant: Jon Nowak, Long Beach Unified School District
Subject Site: 5320 Pine Avenue
Description: Finding of conformity with the General Plan for a street vacation relating to Addams Elementary School.

Continued to the Planning Commission hearing of August 19, 2004.

REGULAR AGENDA

2. Case No. 0404-18, Proposed Amendments to PD-30 (The Downtown Long Beach Planned Development District), CE 322-04

Applicant: Redevelopment Agency, City of Long Beach
Subject Site: All properties within the PD-30 boundaries
Description: Proposed amendments to PD-30 (The Downtown Long Beach Planned Development District).

Carolyn Bihn presented the staff report recommending that City Council adopt the amendments to PD-30. The purpose would be to expand the areas where residential uses can be established and to further restrict a narrow range of marginal uses that can cause use conflicts in the densely populated, highly urbanized downtown neighborhoods.

In response to a query from Commissioner Sramek regarding if restrictions on drive-thru lanes for restaurants would also apply to banks and pharmacies, Ms. Bihn responded that the restrictions would only apply to restaurants.

In response to a query from Commissioner Sramek regarding monopolies, Ms. Bihn stated that cell sites are mounted to buildings in the downtown area.

In response to a query from Commissioner Rouse regarding the difference between artist lofts and other mixed use residential over commercial dwellings, Mr. Carpenter remarked that from a building perspective a building with a commercial space and an accessory living area would have a commercial building classification and therefore would not have to have fireproof walls between the commercial space and the living space. From a planning perspective a loft is a residence with a lack of interior walls and a large ceiling space. An artist studio is a commercial space that can only be used by an artist with a certain percentage of that space that can be used as a residence.

In response to a query from Commissioner Greenberg with regards to the location of bail bonds offices, Ms. Bihn remarked that the recommendation from the Redevelopment Agency narrows the potential locations for bail bonds offices to locations close to the police department and the existing courthouse and would preclude bail bonds offices in other locations.

Commissioner Sramek made a motion to recommend that City Council adopt the amendments to PD-30 and Commissioner Winn seconded the motion, which passed 6-0. Commissioner Jenkins was absent.

3. Case No. 0405-14, Standards Variance, CE 04-101

Applicant: John Perttula
Subject Site: 3940 E. 6th Street
Description: Appeal of the Zoning Administrator's decision to grant variance requests for a floor area ratio of 0.68 (instead of not less than 0.60), and rear yard setback of 5 feet (instead of not less than 12 feet 6 inches).

Derek Burnham presented the staff report recommending denial of the appeal. Staff found the granting of the variance requests appropriate due the hardship created by the design restrictions placed on the project by virtue of its location within a historic district, small lot size and the existing foot print of the home.

Appellant Jeff Stadalman, 541 Termino, stated that he was against the granting of variances because the addition would cause him to lose the sunlight to his two west facing windows and he felt that it would cause him a loss in property value due to the closeness of the 2nd story addition to his home.

Mr. Stadalman also stated that he believed there were errors in the Standard Variance Findings including miscalculations in the floor area ratio and setbacks.

In response to a query from Commissioner Greenberg, Mr. Stadalman stated that he had previously applied for a Standard Variance to rebuild his garage.

Appellant Karen Rice, 3911 E. 6th Street, stated that she was also opposed to the project because of her concerns with overcrowding and density in the neighborhood. She remarked that her concerns were reaffirmed by the community based on the fact that the neighborhood had voluntarily agreed to downzone from R-2 to R-1 in 1998.

John Perttula, architect for the project, stated that the Cultural Heritage Commission found the planned addition to be acceptable.

Mr. Perttula also explained that the owner's daughter would be living in the house and that the addition was necessary to make the home a more compatible place for her to live.

In response to a query from Commission Winn, Mr. Perttula stated that the project was in compliance with the required setbacks.

Peter Deanna, 3922 E. 6th Street, remarked that he was disturbed by the likelihood of additional tenants and a negative parking impact.

In response to remarks from the appellant regarding setbacks from the property line, Mr. Carpenter responded that the issue was not how close the addition was to the appellant's house, but rather it was regarding a rear yard setback.

Ms. Rice reiterated her statement that the community made a point to maintain density and oppose overcrowding by voluntarily downzoning their neighborhood.

Commissioner Winn remarked that he didn't feel that the extra square footage that was being requested would dramatically change the amount of traffic or parking in the neighborhood. He also stated that the addition would provide a better chance of the property becoming owner occupied as opposed to staying a rental in the future.

Commissioner Winn made a motion to deny the appeal and uphold the decision of the Zoning Administrator to grant the variance requests and Commissioner Sramek seconded the motion which passed 6-0. Commission Jenkins was absent.

4. Case No. 0404-23, Administrative Use Permit, ND 15-04

Applicant: Ray Franco
Subject Site: 350 Pine Avenue

Description: Request for approval of an Administrative Use Permit to allow the operation of a night club with required parking provided off-site on a shared use basis at 332 W. Broadway (Broadway Garage).

Carolyn Bihn presented the staff report recommending approval of the Administrative Use Permit.

In response to a query from Commissioner Sramek regarding future development in the downtown area which may require parking, Barbara Kaiser, Redevelopment Bureau Manager, stated that a master environmental impact report for the downtown area was currently being prepared and also that the Redevelopment Agency would be providing an update on available parking after the first of next year.

In response to a query from Commissioner Rouse, Ms. Bihn stated that the Broadway garage was located at 332 W. Broadway, which is located 2 blocks south and 2 blocks west of the night club site.

In response to a query from Commissioner Sramek, Ms. Bihn remarked that patrons of the club would be able to utilize the City Place garage and that the valet service would be required to use the Broadway garage.

Mitchell Stewart, applicant, stated that he was in agreement with the Conditions of Approval presented in the staff report.

In response to a query from Commissioner Sramek regarding how the club will get its patrons to use the Broadway garage, Mr. Stewart remarked that one idea was to include valet parking in the price of the ticket.

Commissioner Sramek made a motion to certify Negative Declaration 15-04 and to approve the Administrative Use Permit, subject to conditions and Commissioner Rouse seconded the motion which passed 6-0. Commissioner Jenkins was absent.

MATTERS FROM THE AUDIENCE

There were no matters from the audience.

MATTERS FROM THE DEPARTMENT OF PLANNING AND BUILDING

Fady Mattar reported that the City Council recently approved the rezoning of property for the creation of a city park and also approved the year round homeless shelter.

Mr. Mattar introduced Cindy Thomack, as the new Historic Preservation Officer.

Mr. Mattar also announced that Greg Carpenter had been promoted to the position of Planning Bureau Manager.

MATTERS FROM THE PLANNING COMMISSION

Commissioner Sramek voiced his concerns over having one member of the Commission representing all commission members at City Council meetings and asked if there were any guidelines about this in the bylaws.

Mr. Mais responded that there was nothing in the rules and procedures that addressed that particular issue. Historical precedent has been that the Chairperson has been asked to address the council on important items. Mr. Mais then stated that the Commission could put an item on their agenda to establish a policy regarding when it's appropriate for a Commission member to speak on behalf of the Commission. This could also include an agreement by the Commission on the content of what the Commission member would say.

Commissioner Greenberg asked staff to schedule this item on a future Planning Commission agenda.

ADJOURN

The meeting adjourned at 3:32 pm.

Respectfully submitted,

Heidi Eidson
Minutes Clerk